



**UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF NEW JERSEY**

McCABE, WEISBERG & CONWAY, LLC  
By: Andrew M. Lubin, Esq. (Atty.  
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Attorneys for Movant: Fifth Third Bank,  
National Association

In re:  
Salvatore Caravello, Jr. and  
Tara Caravello  
Debtors

Order Filed on May 31, 2022  
by Clerk  
U.S. Bankruptcy Court  
District of New Jersey

Case No.: 21-14200-MBK  
Chapter: 13  
Judge: Michael B. Kaplan  
Hearing Date: May 25, 2022  
Time: 9:00 a.m.

**ORDER ON MOTION FOR AUTHORIZATION TO  
ENTER INTO PAYMENT DEFERRAL AGREEMENT  
(CHAPTER 13)**

The relief set forth on the following pages, number two (2) through two (2) is hereby

**ORDERED**

**DATED: May 31, 2022**

A handwritten signature in black ink, appearing to read "Michael B. Kaplan".  
\_\_\_\_\_  
Honorable Michael B. Kaplan  
United States Bankruptcy Judge

The Court having reviewed the Motion for Authorization to Enter into Payment Deferral Agreement filed on March 30, 2022, as to the first mortgage concerning real property located at 540 Bryn Mawr Drive, Brick, New Jersey 08723, and the Court having considered any objections filed to such motion, it is hereby ORDERED that:

The debtors are authorized to enter into the payment deferral agreement.

1) The Payment Deferral Agreement must be fully executed no later than 14 days from the date of this order. If it is not, the secured creditor, within 14 days thereafter, must file with the Court and serve on the debtor, debtor's attorney, if any, and the standing trustee a Certification indicating why the agreement was not fully executed. A response by the debtor, if any, must be filed and served within 7 days of the filed date of the secured creditor's Certification; and

2) Upon the filing of the Certification required above, and absent a response from the debtor, the standing trustee may disburse to the secured creditor all funds held or reserved relating to its claim. Absent the filing of the Certification within the time frame set forth above, the standing trustee will disburse funds on hand to other creditors pursuant to the provisions of the confirmed Plan and any proof of claim filed in this case with respect to the mortgage is deemed modified and incorporated into the Payment Deferral Agreement; and

3) Unless the debtor's Plan has been confirmed with 100% paid to unsecured creditors, the debtor must file a Modified Chapter 13 Plan and Motions within 14 days of this Order. If the payment deferral agreement results in material changes in the debtors' expenses, the debtors must also file amended Schedules I and J within 14 days of the date of this Order; and

2) Check one:

There is no order requiring the debtor to cure post-petition arrears through the Plan; or

Post-petition arrears are included into the payment deferral agreement, and the Order filed on March 1, 2022, requiring the Standing Trustee to make payments based on the arrearage is vacated as of the date of this Order; or

Post-petition arrears have not been capitalized into the payment deferral agreement, and the Standing Trustee will continue to make payments to the secured creditor based on the Order filed on \_\_\_\_\_; and

3) If fees and costs related to loss mitigation/payment deferral agreement are sought by the debtors' attorney, an Application for Compensation in compliance with D.N.J. LBR 2016-1 must be filed.

4) The pre-petition arrears as listed on Movant's Proof of Claim at Claims Register 10-1 are incorporated into the Payment Deferral Agreement and the Chapter 13 Trustee shall not pay the pre-petition arrears.

The Motion for Authorization to Enter into Payment Deferral Agreement is denied.

In re:  
Salvatore Caravello, Jr.  
Tara Caravello  
Debtors

Case No. 21-14200-MBK  
Chapter 13

District/off: 0312-3  
Date Rcvd: Jun 01, 2022

User: admin  
Form ID: pdf903

Page 1 of 2  
Total Noticed: 2

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

**Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jun 03, 2022:**

Recip ID	Recipient Name and Address
db	+ Salvatore Caravello, Jr., 540 Bryn Mawr Drive, Brick, NJ 08723-5012
jdb	+ Tara Caravello, 540 Bryn Mawr Drive, Brick, NJ 08723-5012

TOTAL: 2

**Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.**  
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

## BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, \*duplicate of an address listed above, \*P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

## NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Jun 03, 2022

Signature: \_\_\_\_\_

/s/Gustava Winters

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## CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on June 1, 2022 at the address(es) listed below:

Name	Email Address
Albert Russo	on behalf of Trustee Albert Russo docs@russotrustee.com
Albert Russo	docs@russotrustee.com
Andrew M. Lubin	on behalf of Creditor Fifth Third Bank National Association nj-ecfmail@mwc-law.com, alubin@milsteadlaw.com
Denise E. Carlon	on behalf of Creditor PNC Bank National Association dcarlon@kmllawgroup.com, bkgroup@kmllawgroup.com
Marisa Myers Cohen	on behalf of Creditor Fifth Third Bank National Association nj-ecfmail@mwc-law.com, jhillier@mwc-law.com

District/off: 0312-3

User: admin

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Date Rcvd: Jun 01, 2022

Form ID: pdf903

Total Noticed: 2

U.S. Trustee

USTPRegion03.NE.ECF@usdoj.gov

William H. Oliver, Jr.

on behalf of Debtor Salvatore Caravello Jr. courtdocs@oliverandlegg.com, R59915@notify.bestcase.com

William H. Oliver, Jr.

on behalf of Joint Debtor Tara Caravello courtdocs@oliverandlegg.com R59915@notify.bestcase.com

TOTAL: 8